

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 0:23-cr-60193-PCH**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DERRICK J. NESBITT,

Defendant.

**ORDER ADOPTING AND AFFIRMING R&R AND ADJUDICATING DEFENDANT  
GUILTY**


**THIS MATTER** is before the Court on Magistrate Judge Alicia O. Valle's Report and Recommendation ("R&R") on Change of Plea [ECF No. 27], entered on December 18, 2023. In the R&R, Judge Valle accepted Defendant Derrick J. Nesbitt's plea of guilty as to Count I of the Indictment, which charges Defendant with wire fraud, in violation of 18 U.S.C. § 1343.

Magistrate Judge Valle recommends that this Court accept Defendant's guilty plea, that Defendant be adjudicated guilty of Count I, and that a sentencing hearing be conducted for final disposition of this matter. On December 20, 2023, the Government and Defendant filed their respective notices of non-objection to the R&R [ECF Nos. 28, 29]. Therefore, based on a *de novo* review of the evidence presented, it is hereby

**ORDERED AND ADJUDGED** that (1) Magistrate Judge Valle's R&R on Change of Plea [ECF No. 27] is **ADOPTED** and **AFFIRMED in its entirety**; (2) the Court accepts Defendant's plea of guilty, and Defendant is hereby adjudged guilty as to Count I of the Indictment; and (3) a

sentencing hearing before the Honorable Paul C. Huck is set for **Friday, March 1, 2024, at 9:00 AM.**

**DONE AND ORDERED** in Miami, Florida on January 8, 2024.

  
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PAUL C. HUCK  
UNITED STATES DISTRICT JUDGE

Copies provided to:  
Magistrate Judge Alicia O. Valle  
Counsel of record